

**ENTERED**

December 09, 2020

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA

VS.

JUAN CERVANTES

Defendant.

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CRIMINAL ACTION NO. 2:20-CR-1223-3

**MEMORANDUM OPINION AND ORDER OF DETENTION PENDING TRIAL**

A detention hearing has been held in accordance with the Bail Reform Act, 18 U.S.C. § 3142(f). The following requires detention of the defendant pending trial in this case:

(1) There is probable cause to believe the defendant committed an offense for which a maximum term of imprisonment of ten years or more is prescribed in 21 U.S.C. § 841(b)(1)(B); and

(2) The defendant has not rebutted the presumption that no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community.

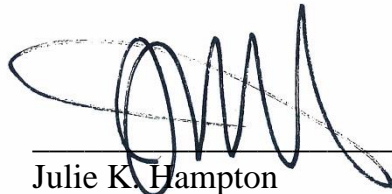
The evidence against the defendant meets the probable cause standard. The defendant is charged with a serious offense involving a significant amount of cocaine, was recently released from prison for manslaughter (two months prior to this offense), has unstable living conditions, and has substance abuse history. He is a poor candidate for

bond. The findings and conclusions of the Pretrial Services Report are adopted by the Court.

The defendant is committed to the custody of the United States Marshal or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

The Defendant may file a motion to re-open the detention hearing in this case if he is able to obtain a bond in his two pending State cases.

ORDERED on December 9, 2020.

  
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Julie K. Hampton  
United States Magistrate Judge